



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/689,716 Confirmation No. : 3956
Applicant : Nelson GONZALEZ, et al.
Filed : October 22, 2003
TC/A.U. : 2676
Examiner : Joni Hsu
Title : Motherboard for Supporting Multiple Graphics Cards

Docket No. : 19463-0002
Customer No. : 24633

MAIL STOP AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

Sir:

I, the undersigned, Frank Azor, declare that:

1. I am Senior Vice President and General Manager of the Worldwide Product Group for Alienware Corporation ("Alienware" or "Company"). I have been with the Company for eight years. In my position as Product Group SVP, I am responsible for the development and implementation of the Company's product strategy. As such, I am knowledgeable in the area of personal computers, including motherboards and motherboard technologies.

2. I was informed that certain claims of the above captioned patent application were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent Publication 2004/0088469 to Levy ("Levy") in view of U.S. Patent Application No. 6,557,065 to Peleg ("Peleg") and in some cases additionally in view of U.S. Patent No. 5,546,530 to Grimaud ("Grimaud").

3. By this Declaration, I am providing certain evidence relating to the commercial success of Alienware products incorporating the Applicants' technology as well as the proliferation of Applicants' invention throughout our industry.

4. Alienware is a maker of high performance computing systems located in Miami, Florida.

5. On May 12, 2004, Alienware introduced its X2 motherboard, which embodies the Applicants' claimed invention. The uniqueness of this product is its ability to house multiple, off-the-shelf x16 discrete video cards. Specifically, this motherboard has a chipset for managing data transfers within the motherboard, a scalable interconnect for connecting the motherboard, and multiple x16 video card slots connected to the interconnect. To date, the product has achieved significant commercial success, and most all desktop motherboards currently offered for sale by Alienware incorporate Applicants' claimed invention.

6. This technology drew immediate praise in the computing industry, as evidenced by the following articles:

a. Alienware's Dual PCI-E Graphics System Uncovered, www.pcper.com/article.php?aid=43 (5/5/2004) (Exhibit 1);

b. Alienware official dual PCI Express numbers are go, <http://www.theinquirer.net/?article=16724> (6/22/2004) (Exhibit 2);

c. E3 2004: Alienware Video Array and X2, <http://gear.ign.com/articles/515/515363p1.html> (5/13/2004) (Exhibit 3);

d. Alienware's Double Fisted X2 Video Array, <http://www.gizmodo.com/archives/alienwares-double-fisted-x2-video-array-016150.php> (5/12/2004) (Exhibit 4); and

e. Alienware Supports SLI in New X2-Based System, <http://www.sysopt.com/news/article.php/3546251> (10/28/2004) (Exhibit 5).

7. Others in the motherboard industry have recognized the uniqueness of the claimed technology. For example, Iwill Corporation, a multinational producer of computer motherboards, has entered into a license agreement with Alienware, the assignee of the invention, to sell motherboards that incorporate the Applicants' invention.

8. Since Alienware's introduction of the X2 motherboard, the claimed invention has been widely copied within the computer industry. To my knowledge, every major motherboard manufacturer now includes this technology in at least one of their current offerings. Indeed,

many of these manufacturers offer the technology in multiple products. Below is a list of the top board manufacturers and the products which incorporate Applicants' technology.

Intel

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ASUS P5N32-SLI DELUXE

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ASUS A8N32-SLI Deluxe (SBIOS = 502)

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ABIT N18 SLI (SBIOS = M431A 10.b01)

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ABIT N18-SLI GR (SBIOS = M431A 11.B02)

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ASUS P5ND2-SLI (SBIOS = 0304)

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ASUS P5ND2-SLI Deluxe (SBIOS = 0801)

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Biostar N4SIE-A7 (SBIOS = N4SIA608.BF)

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Epox EP-5NVA+SLI (SBIOS = V6.00 PG)

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Foxconn NF4SLI7AA (SBIOS = 537F1P23)

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Gigabyte GA-8N-SLI Royal (SBIOS = V6.00 PG D10)

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Gigabyte GA-8N-SLI Royal (SBIOS = V6.00 PG D10)

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Gigabyte GA-8N-SLI Pro (SBIOS = F1)

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MSI P4N Diamond (SBIOS = V1.00 BH)

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P4N SLI (SBIOS = A7160 V3.0B)

MSI

AMD

>

ABIT K8N SLI (SBIOS = M503D 11.B07)

>

ABIT Fatal1ty AN8 SLI (SBIOS = AN8 13.B00)

>

Albatron K8SLI (SBIOS = K8SLI R1.00)

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ASUS A8N-SLI (SBIOS = 1001)

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ASUS A8N-SLI Deluxe (SBIOS = 1001)

>

ASUS A8N-SLI Premium (SBIOS = 1002)

>

Biostar N4SI-A9 (SBIOS = n4SLIA422.BS)

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ECS KN1 SLI Extreme (SBIOS = KN1S10.BIN)

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ECS ECS KN1 SLI Lite (SBIOS = V1.0B)

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DFI Lanparty NF4 SLI Infinity (SBIOS =V6.00PG)

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DFI Lanparty NF4-SLI-DR (SBIOS =20050119)

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Epox EP-9NPA+SLI (SBIOS = V6.00PG)

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eVGA 133-K8-NF41-AX (SBIOS = E4.2)

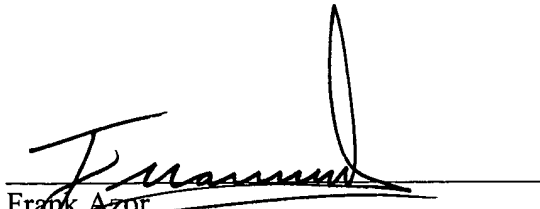
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| > | |
| <u>Foxconn</u> | <u>WinFast NF4SK8AA (SBIOS = 538W1D18)</u> |
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| > | |
| <u>Gigabyte</u> | <u>GA-K8N Pro-SLI (SBIOS = F4)</u> |
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| > | |
| <u>Gigabyte</u> | <u>GA-K8NXP-SLI (SBIOS = F4)</u> |
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| > | |
| <u>Gigabyte</u> | <u>GA-K8N-SLI (SBIOS = E1)</u> |
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| > | |
| <u>Jetway</u> | <u>775GT4-G (SBIOS = 75GT4L06)</u> |
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| > | |
| <u>Jetway</u> | <u>939GT4-SLI (SBIOS = N8GT4L08)</u> |
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| > | |
| <u>MSI</u> | <u>K8N SLI Platinum (SBIOS = V6.00 PG)</u> |
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| > | |
| <u>MSI</u> | <u>K8N Diamond (SBIOS = V6.00 PG)</u> |
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| > | |
| <u>MSI</u> | <u>K8N Neo4 Platinum/SLI (SBIOS = V6.00 PG)</u> |
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| > | |
| <u>Foxconn</u> | <u>NFPIK8AA-8EKRS (SBIOS = 49LF004B)</u> |
| | |
| > | |
| <u>WILL</u> | <u>DK8EW (SBIOS = DK8EW111)</u> |
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| > | |
| <u>MSI</u> | <u>K8N Master2-FAR (SBIOS = W9620NMS V0.10)</u> |
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| <u>Tyan</u> | <u>Thunder K8WE [S2895] (SBIOS = CKS:75DD)</u> |

ATI CHIPSETS

Application No. 10/689,716
Declaration Under 37 C.F.R. §1.131

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|------|---------------------------------|
| Asus | <u>A8R-MVP</u> |
| DFI | <u>LANPARTY UT RDX200 CF-DR</u> |
| ECS | <u>KA1 MVP (1.0)</u> |
| MSI | <u>RD480 Neo2-FI</u> |

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity if the application or any patent issuing thereon.



Frank Azor
Senior Vice President & General Manager
Alienware Corporation Worldwide Product Group

4/19/2006

Date